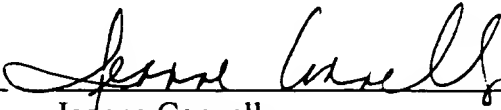I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Board of Patent Appeals and Interferences, Commissioner for Patents, Washington, DC 20231.

_1-22-02_
Date

Jeanne Connelly (signature)
Jeanne Connelly

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Jeffrey P. Bezos et al.
Application No.	:	09/151,617
Filed	:	September 11, 1998
For	:	METHOD AND SYSTEM FOR PLACING A PURCHASE ORDER VIA A COMMUNICATIONS NETWORK

Examiner	:	G. Akers
Art Unit	:	2164
Docket No.	:	249768002US1
Date	:	January 22, 2002

Commissioner for Patents
Washington, DC 20231
ATTN: Board of Patent Appeals and Interferences

TRANSMITTAL OF APPEAL BRIEF AND

REQUEST FOR EXTENSION OF TIME

Sir:

Transmitted herewith, in triplicate, is the Appeal Brief in the above-identified application, further to the Notice of Appeal filed on October 22, 2001 (a copy of which is enclosed). Due to the recent disruption in the mail service to the Patent Office, we have not received the return postcard and therefore, we do not know the date the Notice of Appeal was received by the Patent Office.
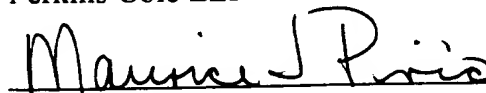
Applicants herewith petition the Commissioner of Patents under 37 CFR § 1.136(a) for a one-month extension of time for filing the Appeal Brief.

The total fee due with this filing is calculated as follows:

Appeal Brief Fee	$	320.00
Extension Fee	$	110.00
TOTAL FEE DUE	**$**	**430.00**

Enclosed is a check in the amount of $430.00. The Commissioner is authorized to charge any deficiency or overpayment of fees under 37 C.F.R. § 1.16 or 1.17 to Deposit Account No. 50-0665. A duplicate of this transmittal is attached.

Respectfully submitted,
Perkins Coie LLP

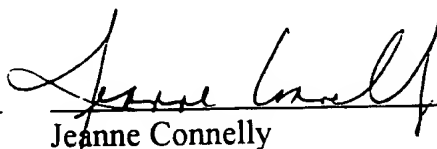Maurice J. Pirio
Registration No. 33,273

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_____1·22-02_____   ⟨signature⟩ Jeanne Connelly
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeffrey P. Bezos et al.

Application No. : 09/151,617

Filed : September 11, 1998

For : METHOD AND SYSTEM FOR PLACING A PURCHASE ORDER VIA A COMMUNICATIONS NETWORK

Examiner : G. Akers

Art Unit : 2164

Docket No. : 249768002US1

Date : January 22, 2002

Attention: Board of Patent Appeals and Interferences
Commissioner for Patents
Washington, DC 20231

APPEAL BRIEF

Dear Sir:

I. REAL PARTY IN INTEREST

The real party in interest is Amazon.com.

II. RELATED APPEALS AND INTERFERENCES

Applicants, applicants' legal representative, and the real party in interest are unaware of any appeal or interference that will directly affect, be directly affected by, or have a bearing on the Board's decision in the present appeal.

III. STATUS OF CLAIMS

Claims 1-55 have been presented.[1]

Claims 1, 3-9, 12-14, 17, 19-23, 25-31, 34-35, 37-39, 42-44, 47-48, and 51-55 of the application have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,826,242 to Montulli ("Montulli").[2]

Claims 2, 10-11, 15-16, 18, 24, 32-33, 36, 40-41, 45-46, and 49-50 stand rejected under 35 U.S.C. § 103(a) over Montulli.

Applicants appeal the rejection of claims 1-55.

IV. STATUS OF AMENDMENTS

Applicants have filed no amendments subsequent to the final rejection.

V. SUMMARY OF INVENTION

Applicants' invention relates generally to a technology that allows a user to place a purchase order with a vendor over a network without providing complete delivery information (e.g., a delivery address) for a recipient of the order. Prior systems, in contrast, require that a user provide complete recipient delivery information when placing an order. This requirement increases the time it takes to place an order and may prevent the user from

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[1] The Appendix of this Brief contains a copy of claims 1-55.

[2] Applicants are confused by the basis for the rejection of these claims. The Examiner states that these claims are rejected in a section of the Office Action entitled "Claim Rejections - 35 U.S.C. § 102." (Office Action, May 22, 2001, p. 2.) In that section, however, the Examiner states that these claims "are rejected under 35 U.S.C. § 103(a)." Because the Examiner's analysis of the claims assumes a section 102 rejection and the Examiner states that "Applicant's [sic] lacks novelty" (*Id.* at p. 19), applicants assume that these claims are actually rejected under section 102, rather than section 103. (Claim 35 and its dependent claims appear to be the exception because the Examiner mentions "obvious" when discussing what Montulli does not teach with respect to claim 35.)

placing an order when recipient delivery information is not readily available. Using applicants' technology, the user identifies the recipient(s) without providing complete delivery information, which allows a vendor to simplify the ordering process and provide a more flexible and efficient ordering environment. Applicants' technology is especially well suited for gift ordering because the recipient of a gift is someone other than the user placing the order, and the user as a result may not have complete delivery information for the recipient.

In one embodiment of applicants' technology, a system provides information describing an item that a user wishes to order for a recipient and allows the user to identify the recipient for that item. (Specification, 8:9-12, 20-23, 17:21-22.) The identification of the recipient may be an electronic mail address, a telephone number, or some other way to identify the recipient. (Specification, 19:21-24, 20:8-10.) The system then uses this information to obtain the complete delivery information for the recipient without further querying the user. (Specification, 18:2-3, 19:24-20:2.) Once complete delivery information is obtained, the order may be confirmed and the ordered item may be delivered to the recipient. (Specification, 18:12-15.)

According to one embodiment, after the user has identified a recipient, the system uses that identification to automatically contact the recipient to obtain sufficient delivery information. (Specification, 19:24-25, Fig. 11.) The system may contact the recipient through an electronic message or automated telephone call. (Specification, 20:10-14.) If the contact is done via electronic mail, the response mail from the recipient may be parsed to obtain the delivery information. (Specification, 20:24-27.) Through these means, the system can obtain sufficient delivery information without requiring the user to supply it at ordering time. The system then uses the delivery information to deliver the ordered item to the recipient and may then store the complete delivery information in a local database for later retrieval. (Specification, 25:5-6, 25:8-9.) If the system determines, based on its contact of the recipient, that it does not have sufficient delivery information, it attempts to obtain the needed delivery information from additional sources of information. (Specification, 22:18-22.) The system may do this by using the recipient identification that the user provided at the time of order. (Specification, 20:16-18.) The system may use external telephone and electronic mail directories, local customer information databases, or

Internet-based search engines to discover the delivery information. (Specification, 26:1-9.) In addition, the system may analyze the recipient identification information to determine possible geographic information about the recipient. (Specification, 26:16-18.) If the system determines that it lacks sufficient delivery information after attempting to obtain the needed information from other sources, the system may put the item on hold and notify the gift giver that the gift cannot be delivered. (Specification, 20:1-2, 22:24-26.)

In one embodiment, when a determination is made that the system does have sufficient delivery information, the system then verifies the delivery information before using it to ship the order. (Specification, 22:13-17.) The system may perform this verification by conducting an automated database search. Alternatively, a human operator may manually verify the delivery information. The verification may involve the use of an external database of U.S. Postal Service addresses for confirmation. (Specification, 26:27-27:4.) If the delivery information is verified, then the item may be shipped. (Specification, 27:7-9.) If the delivery information cannot be verified, the system may put the item on hold and may notify the gift giver that the gift cannot be delivered. (Specification, 23:5-6, 27:6-7.)

VI.   SUMMARY OF THE MONTULLI PATENT

Montulli relates generally to transmitting information between a client computer and a server computer using an extension to the HTML protocol, which is the computer protocol used for online Web-based communications. (Montulli, 7:45-49.) More specifically, Montulli describes a conventional system for ordering products online.

As described by Montulli, a customer browses an online store and selects products to purchase. (Montulli, 12:34-40.) Once the customer selects an item, the server requests that the customer provide indications pertaining to the details of the selected product (e.g., size, color, or quantity selections). (Montulli, 12:40-44.) The server processes the item order by conducting a limited analysis of the received indications. (Montulli, 12:47-49.) This process, which is somewhat analogous to placing items in a shopping cart, is repeated each time that the customer selects a new product.

Upon completing the product selection process, the customer proceeds to an ordering phase, or "check-out." (Montulli, 13:15-19.) At the check-out stage, the server

requests that the customer submit complete billing and shipping information. (Montulli, 13:21-24.) The request is directed expressly toward the customer. (Montulli, 13:18-24.) Because Montulli describes purchasing by use of a credit card, it also provides for an automated credit card authorization process. (Montulli, 13:25-27.) Montulli does not teach authorization or verification of any other information besides the credit card information.

VII. REJECTIONS

The Examiner has rejected claims 1, 3-9, 12-14, 17, 19-23, 25-31, 34-35, 37-39, 42-44, 47-48, and 51-55 under 35 U.S.C. § 102(e) as being anticipated by the Montulli patent. (Office Action, May 22, 1998, ¶ 4.) Applicants are puzzled by the Examiner's comments in the final Office Action, dated May 22, 2001. In response to the first Office Action, applicants amended the claims to make it clear that "the server system obtains additional information from one or more external information sources other than the user." Applicants added the "other than the user" language to make it clear that it is not the user who provides the additional information. Indeed, some of the claims also recite "sending a communications to the recipient . . . requesting delivery information for the gift." The Examiner simply dismisses applicants' amendments by stating that "shipping information is routinely retrieved from databases for order information as listed by customer's name, location, prior items ordered, etc." (Office Action, May 22, 2001, p. 19.) The source of such information is, however, from the customer or the user, and not from sources "other than the user."

In making these rejections, the Examiner has identified certain components of Montulli that he believes correspond to certain elements of the rejected claims. The following table illustrates some of the correspondence:

Claim Element	Montulli Component
obtaining additional delivery information from sources other than the user	requesting billing and shipping information from the ordering customer using a form (13:22-24)
obtaining additional information by contacting the recipient directly	requesting billing and shipping information from the ordering customer using a form (13:22-24)

Claim Element	Montulli Component
collecting information from one or more information sources selected from among an Internet-based telephone database, an Internet-based electronic mail database, a local telephone database, a local electronic mail database, an Internet-based search engine, and a database of information relating to the domain name registration of an electronic mail address of the recipient	engaging, generally, in the transfer of information via an interconnection of networks (4:38-52) using http to facilitate client/server communications over a network (2:38-41); more particularly, sending an http request for a merchant's homepage and describing products using communication forms supported by Web browsers (12:16-31) (Fig. 5/212/214) using domain names to simplify access of Internet resources (5:24-36) analyzing and processing product selection and ordering data submitted by a customer on an HTML form document (12:47-49) transmitting a cookie (which identifies a product selected by a customer) from a server to a client (13:11-13)
verifying whether potential delivery information is valid	performing a real-time credit card authorization (13:26-28)

Applicants do not fully understand the Examiner's assertion that these components correspond with applicants' claim elements. In particular, the oft-cited Montulli component of requesting billing and shipping information from the customer does not read on applicants' element of obtaining delivery information from sources other than the user, because applicants' "user" is analogous to Montulli's "customer." Likewise, Montulli describes requesting information from the customer at the time that the order is placed; this request does not correspond to applicants' element of obtaining omitted delivery information from nonuser sources (e.g., the recipient or various databases) after the user places the order. Finally, it is unclear how the Examiner considers the authorization of a credit card to correspond to verification of potential delivery information.

The Examiner has also rejected claims 2, 10-11, 15-16, 18, 24, 32-33, 36, 40-41, 45-46, and 49-50 under 35 U.S.C. § 103(a). To simplify the issues on appeal, these

claims stand and fall with the claims from which they depend that are rejected under 35 U.S.C. § 102. Accordingly, applicants will not conduct a separate analysis of these claims based on the section 103 rejections.

VIII.   ISSUES

A.   Is Montulli's requesting of shipping information from the customer different from applicants' obtaining of delivery information from a source other than the user?

B.   Is Montulli's requesting of shipping information from the customer different from applicants' contacting of the recipient of the item, where the recipient is not the user?

C.   Has the Examiner failed to establish a *prima facie* case of anticipation by not pointing to anything in Montulli that corresponds to applicants' delivery of a gift given by a gift giver to a recipient?

D.   Does Montulli's description of various communications that may occur between a client computer and a server computer over a computer network fail to teach or suggest collecting or obtaining delivery information from a specified list of databases and other information sources?

E.   Is Montulli's authorizing of credit card information different from applicants' verifying of delivery information?

IX.   GROUPING OF CLAIMS[3]

Independent claim 1 and its dependent claims 2-8; independent claim 13 and its dependent claims 18-22; and independent claim 23 and its dependent claims 24-30 stand or fall together. These claims are directed to a method for ordering an item and recite obtaining additional delivery information from an external information source other than the user.

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[3] Applicants have grouped the claims to simplify issues on appeals. Applicants, however, do not admit that the claims in any group stand or fall together for purposes other than this appeal. In particular, applicants reserve the right to argue the patentability of each claim separately in a subsequent action (e.g., litigation).

[24976-8002/SL013110.231]   1/18/02

Claims 9-11, which depend from claim 1; claims 14-16, which depend from claim 13; and claims 31-33, which depend from claim 23, stand or fall together. These claims are directed to a method for ordering an item and recite obtaining additional delivery information from an external information source other than the user by contacting the recipient.

Claim 12, which depends from claim 1; claim 17, which depends from claim 13; and claim 34, which depends from claim 23, stand or fall together. These claims are directed to a method for ordering an item and recite obtaining additional delivery information from an external information source other than the user by collecting delivery information from various databases.

Independent claim 35 and its dependent claims 36-38 and 40-41 stand or fall together. These claims are directed to a method in a computer system for coordinating the delivery of a gift given by a gift giver to a recipient. These claims recite (1) requesting additional delivery information by contacting the recipient of the gift; (2) when the recipient does not respond to the request, obtaining additional delivery information from information sources other than the gift giver; and (3) verifying that the delivery information for the gift is valid.

Claim 39, which depends from claim 35, stands or falls alone. This claim is directed to a method in a computer system for coordinating the delivery of a gift given by a gift giver to a recipient. This claim recites that the collecting of additional delivery information of claim 35 includes collecting the information from various databases.

Independent claim 42 and its dependent claim 43 stand or fall together. These claims are directed to a method in a computer system for coordinating delivery of a gift from a gift giver to a recipient. These claims recite, when sufficient information is not provided in the gift order, obtaining delivery information from sources other than the gift giver.

Claim 47, which depends from claim 42, stands or falls alone. This claim is directed to a method in a computer system for coordinating delivery of a gift from a gift giver to a recipient. This claim recites that the obtaining of delivery information of claim 42 includes obtaining the delivery information from various databases.

Claims 44-46, which depend from claim 42, stand or fall together. These claims are directed to a method in a computer system for coordinating delivery of a gift from

a gift giver to a recipient. These claims recite when sufficient information is not provided in the gift order, obtaining delivery information by contacting the recipient.

Independent claim 48 and its dependent claims 49-52 stand or fall together. These claims are directed to a computer-based delivery system for coordinating the delivery of a gift from a gift giver to a recipient. The claims recite obtaining delivery information by contacting the recipient of the gift and obtaining delivery information by searching various databases.

Independent claim 53 and its dependent claims 54-55 stand or fall together. These claims are directed to a computer-based delivery system for coordinating the delivery of a gift from a gift giver to a recipient. These claims recite requesting delivery information by contacting the recipient of the gift.

X. ARGUMENT

To establish a *prima facie* case of anticipation, the Examiner is obligated to identify where "each and every facet of the claimed invention is disclosed in the applied reference." *Ex parte Levy*, 17 U.S.P.Q.2d (BNA) 1461, 1462 (Bd. Pat. App. & Interf. 1990); *see also In re Robertson*, 169 F.3d 743, 745, 49 U.S.P.Q.2d (BNA) 1949 (Fed. Cir. 1999). Moreover, anticipation requires that each claim element must be identical to a corresponding element in the applied reference. *Glaverbel Société Anonyme v. Northlake Mktg. & Supply, Inc.*, 45 F.3d 1550, 1554 (Fed. Cir. 1995). Thus, to establish that a claim is anticipated by the Montulli patent, the Examiner must show that each and every element, as set forth in the claim, is identically disclosed by Montulli.

As demonstrated below, the various putatively corresponding components of Montulli cannot be considered similar, let alone identical, to those claimed by applicants. Thus, Montulli does not anticipate any of the pending claims.

A.   **Montulli's requesting of shipping information <u>from the customer</u>
is <u>not</u> identical to obtaining delivery information <u>from a source</u>
<u>other than the user.</u>**

The Examiner fails to point to any portion of Montulli that identically discloses applicants' claimed element of obtaining delivery information from a source <u>other</u> <u>than the user</u>. In providing his correspondence, the Examiner identifies a technique

described by Montulli in which the customer provides delivery information when placing an order. In particular, the Examiner relies on a portion that states that "[t]he server may then request billing information (e.g., credit card number) and shipping (e.g., address) information from the customer using a form." (Montulli, 13:22-24 (emphasis added).) Montulli's "customer" is, of course, the user who places an order and not a source "other than the user" as recited, for example, by claim 1. Thus, the Examiner has failed to establish anticipation. Moreover, applicants can find nothing in Montulli that even suggests obtaining delivery information from a source other than users themselves.

All the claims recite the obtaining of "additional delivery information from one or more external information sources other than the user" or similar language. Claim 48, for example, recites that "obtaining additional information about the recipient by attempting to contact the recipient," which is a very specific external information source other than the user. Thus, none of the claims is anticipated.

B. **Montulli's requesting of shipping information from the customer is not identical to contacting the recipient of the item when the recipient is not the user.**

Montulli's request for billing and shipping information from the customer does not correspond with applicants' contacting of the recipient of the item to obtain delivery information. Montulli specifically describes contacting the customer to obtain shipping information (Montulli. 13:22-24), while applicants' claims specify that delivery information is obtained by a source other than the user. In the case of claims 9-11, 14-17, 31-33, 35-41, 44-46, and 48-50, the source "other than the user" is the recipient of the item, who is contacted to obtain delivery information. For example, claim 9 recites obtaining "the additional delivery information by contacting the recipient directly." Because Montulli fails to disclose obtaining delivery information from any source other than the customer, Montulli's request for billing and shipping information is not identical or even similar to applicants' contacting of the recipient (who is not the user) to obtain delivery information.

In addition. claims 35-41 recite a specific order for attempting to obtain delivery information. In particular, these claims recite "sending a communications to the recipient" and "when the recipient does not respond" collecting "from sources other than the gift giver." The Examiner has pointed to nothing in Montulli that describes. and Montulli

does not describe, this specific sequence of contacting the recipient, waiting for a response, and when no response is received, then obtaining delivery information from other sources.

C.   Montulli fails to teach or suggest a system for coordinating the delivery of a gift given by a gift giver to a recipient.

The Examiner fails to identify any section in the Montulli patent that corresponds to coordinating the delivery of a gift. Applicants' claims 35-55 are directed to a system for coordinating delivery of a gift given by a gift giver to a recipient.[4] Montulli's online shopping illustration describes a procedure of ordering products online, but makes no mention of gifts or gift giving. (Montulli, 11:50-67.) It does not even suggest that the customer may provide a shipping address that is not the customer's own shipping address. (Montulli, 13:16-29.) Thus, the Examiner has failed to establish even a *prima facie* case of anticipation of these claims.

D.   Montulli's various descriptions of generalized communications between client computers and server computers over a computer network do not teach or suggest automatically collecting or obtaining delivery information from a specified list of databases and information sources.

One embodiment of applicants' claimed invention has the capability of searching multiple information sources to locate delivery information. These information sources include:

> an Internet-based telephone database, an Internet-based electronic mail database, a local telephone database, a local electronic mail database, an Internet-based search engine, and a database of information relating to the domain name registration of an electronic mail address of the recipient.

(Claims 12, 17, 34, 39, 47; *see also* claim 50.) The Examiner fails to identify anything in Montulli that suggests, let alone identically discloses, obtaining information from any of the information sources in this collection. Instead, the Examiner relies on sections of Montulli that describe various ways in which a client computer and a server computer may exchange

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[4] Because these claims relate to gift giving, there can be no question that the sender (i.e., the gift giver) is someone other than the recipient.

information, including: (1) communicating product descriptions to clients using http (Montulli, 12:16-31, Fig. 5/212/214); (2) analyzing and processing product selection and ordering data submitted by a customer on an HTML form document (Montulli, 12:47-49); and (3) transmitting a cookie (which identifies a product selected by a customer) from a server to a client (Montulli, 13:11-13). These descriptions, however, fail to disclose the specific information sources recited in claims 12, 17, 34, 39, and 47 and, therefore, are not identical to applicants' elements.

E.   **Montulli's authorizing credit card information is _not_ identical to verifying delivery information.**

Contrary to the Examiner's assertions, Montulli's credit card authorization technique is not equivalent to applicants' verifying of delivery information, which is recited in claims 35-41, 44-46, and 48-50. During a typical credit card authorization, a merchant electronically submits credit card information to a credit card company in order to determine that the credit card number is valid and that amount does not exceed the customer's credit limit.

Applicants' address verification is not similar to credit card authorization. Rather, address verification involves a procedure where, upon receipt of complete delivery information, the system verifies whether the delivery information constitutes a valid address to help ensure that an ordered gift will be sent to a valid address. (Specification, 22:13-17, 26:26-27.) Because address verification and credit card authorization are different procedures with different functions, Montulli's authorizing of credit card information is not identical to applicants' verifying of delivery information.

XI.   **SUMMARY**

The Examiner has failed to establish that any of applicants' claims are either anticipated or obvious. In particular, the Examiner has failed to show that Montulli identically discloses (or even renders obvious) the elements of (1) obtaining additional delivery information from information sources other than the user; (2) obtaining additional delivery information by contacting the recipient of the item (where the recipient is not the user); (3) coordinating the delivery of a gift given by a gift giver to a recipient; (4) collecting delivery information from various databases; or (5) verifying that identified potential

delivery information for the gift is valid. Because each of applicants' claims recites one or more of these elements, none of the claims is anticipated. Accordingly, applicants respectfully request reversal of the Examiner's rejections.

Respectfully submitted,

Jeffrey P. Bezos et al.

PERKINS COIE LLP

Maurice J. Pirio
Registration No. 33,273

APPENDIX
PENDING CLAIMS

1.   A computer-implemented method for ordering an item using a client system, the method comprising:

displaying information identifying the item at the client computer system:

receiving from a user an indication of a recipient to whom the ordered item is to be delivered;

displaying an indication of an action that is to be performed by the user to order the item; and

in response to the indicated action being performed, sending to a server system an indication that the item is to be ordered and the indication of the recipient to whom the ordered item is to be delivered

whereby when the server system does not have sufficient information for the indicated recipient to deliver the ordered item, the server system obtains additional information from one or more external information sources other than the user that is sufficient to deliver the ordered item to the indicated recipient.

2.   The method of claim 1 wherein the indication of the recipient is an electronic mail address.

3.   The method of claim 1 wherein the displaying of the information identifying the item and the displaying the indication of the action to be performed are performed before the receiving of the indication of the recipient from the user.

4.   The method of claim 1 wherein the client system and the server system communicate via the Internet.

5.   The method of claim 1 wherein sending includes sending an identifier of the client system.

6.   The method of claim 1 wherein the displaying is effected by displaying an HTML document provided by the server system.

7.   The method of claim 1 wherein the action is a single action.

8.   The method of claim 7 wherein the single action is clicking a mouse button when a cursor is positioned over a predefined area of the display.

9.   The method of claim 1 wherein the server system obtains the additional information by contacting the recipient directly.

10.   The method of claim 9 wherein the recipient is contacted directly via electronic mail.

11.   The method of claim 9 wherein the recipient is contacted directly via a voice telephone call.

12.   The method of claim 1 wherein the server system obtains the additional information by collecting information from one or more information sources selected from among an Internet-based telephone database, an Internet-based electronic mail database, a local telephone database, a local electronic mail database, an Internet-based search engine, and a database of information relating to the domain name registration of an electronic mail address of the recipient.

13. A computer-implemented method for ordering an item, the method comprising:

sending to a client system instructions to display information identifying the item, to input an indication of a recipient to whom the item is to be delivered, and to send the indication of the recipient to the server system when an indicated single action is performed; and

after the indicated single action is performed,

receiving the indication of the recipient from a user of the client system;

determining whether the server system does not have sufficient information for the indicated recipient to deliver the ordered item; and

when the server system does not have sufficient information, obtaining additional information from one or more information sources other than the user that is sufficient to deliver the ordered item to the indicated recipient from one or more information sources that are external to the server system.

14. The method of claim 13 wherein the server system obtains the additional information by contacting the recipient directly.

15. The method of claim 14 wherein the recipient is contacted directly via electronic mail.

16. The method of claim 14 wherein the recipient is contacted directly via a voice telephone call.

17. The method of claim 14 wherein the server system obtains the additional information by collecting information from one or more information sources selected from among an Internet-based telephone database, an Internet-based electronic mail

database, a local telephone database, a local electronic mail database, an Internet-based search engine, and a database of information relating to the domain name registration of an electronic mail address of the recipient.

18. The method of claim 13 wherein the indication of the recipient is an electronic mail address.

19. The method of claim 13 wherein the displaying of the information identifying the item and the displaying the indication of the action to be performed are performed before the receiving of the indication of the recipient from the user.

20. The method of claim 13 wherein the client system and the server system communicate via the Internet.

21. The method of claim 13 wherein receiving includes receiving an identifier of the client system.

22. The method of claim 13 wherein the instruction are within an HTML document.

23. A computer-implemented method for ordering an item using a client system, the method comprising:

    displaying information identifying the item at the client computer system;

    receiving from a user an identifier of a group of one or more recipients to whom the ordered item is to be delivered, the identified group having an indication of each recipient in the group;

    displaying an indication of an action that is to be performed by the user to order the item; and

in response to the indicated action being performed, sending to a server system an indication that the item is to be ordered and the indication of each recipient in the group to whom the ordered item is to be delivered

whereby when the server system does not have sufficient information for an indicated recipient to deliver the ordered item, the server system obtains additional information from one or more external information sources other than the user that is sufficient to deliver the ordered item to the indicated recipient.

24. The method of claim 23 wherein the indication of a recipient is an electronic mail address.

25. The method of claim 23 wherein the displaying of the information identifying the item and the displaying the indication of the action to be performed are performed before the receiving of the identifier of the group from the user.

26. The method of claim 23 wherein the client system and the server system communicate via the Internet.

27. The method of claim 23 wherein sending includes sending an identifier of the client system.

28. The method of claim 23 wherein the displaying is effected by displaying an HTML document provided by the server system.

29. The method of claim 23 wherein the action is a single action.

30. The method of claim 29 wherein the single action is clicking a mouse button when a cursor is positioned over a predefined area of the display.

31.   The method of claim 29 wherein the server system obtains the additional information by contacting a recipient directly.

32.   The method of claim 31 wherein the recipient is contacted directly via electronic mail.

33.   The method of claim 31 wherein the recipient is contacted directly via a voice telephone call.

34.   The method of claim 1 wherein the server system obtains the additional information by collecting information from one or more information sources selected from among an Internet-based telephone database, an Internet-based electronic mail database, a local telephone database, a local electronic mail database, an Internet-based search engine, and a database of information relating to the domain name registration of an electronic mail address of the recipient.

35.   A method in a computer system for coordinating the delivery a gift given by a gift giver to a recipient, the method comprising:

>   receiving an order from the gift giver, the order identifying a gift to be delivered to the recipient and having contact information describing the recipient;

>   storing the received order in an order database along with an order tracking number;

>   sending a communication to the recipient based on the contact information, the communications requesting delivery information for the gift, the communications including the order tracking number so that the recipient can include the order tracking number in a response to the communications for identification of the stored order;

when the recipient does not respond to the communications, collecting additional delivery information for the gift based on the contact information from sources other than the gift giver;

when potential delivery information for the gift has been identified, verifying whether the potential delivery information is valid; and

when the delivery location has been verified as being valid,

sending the gift in accordance with the delivery information; and

notifying the gift giver that the gift has been sent to the recipient.

36.   The method of claim 35 wherein the sending of a communications includes sending an electronic mail.

37.   The method of claim 35 wherein the order is received via access through a Web page.

38.   The method of claim 35 wherein the delivery information is an address and where the verifying includes:

checking a database of valid addresses to determine whether the address can be determined to be valid address; and

when the address can be determined to be a valid address, indicating that the delivery information has been verified; and

when the address cannot be determined to be a valid address,

prompting a person to indicate whether the address is valid; and

when the person indicates that the address is valid, indicating that the delivery information has been verified.

39.   The method of claim 35 wherein the collecting of additional delivery information includes collecting information from one or more information sources that include an Internet-based telephone database, an Internet-based electronic mail database, a local telephone database, a local electronic mail database, a database of previous recipients

and gift givers, an Internet-based search engine, and a database of information relating to the domain name registration of an electronic mail address of the recipient.

40. The method of claim 35 wherein the communications is a telephone call placed to the recipient.

41. The method of claim 35 including when the gift cannot be delivered to the recipient, notifying the gift giver that the gift cannot be delivered.

42. A method in a computer system for coordinating delivery of a gift from a gift giver to a recipient, the gift and recipient being specified in a gift order, the method comprising:

determining whether the gift order includes sufficient information so that the gift can be delivered to the recipient;

when sufficient information is not provided in the gift order, obtaining delivery information from one or more information sources other than the gift giver; and

when sufficient delivery information can be obtained from the additional information sources so that the gift can be delivered to the recipient, directing the gift to be sent to the recipient as indicated by the deliver information.

43. The method of claim 42 including receiving the gift order electronically.

44. The method of claim 42 wherein when the gift order contains information such that the recipient can be contacted, obtaining the delivery information by contacting the recipient directly.

45.   The method of claim 44 wherein the recipient is contacted directly by sending an electronic mail.

46.   The method of claim 44 wherein the recipient is contacted directly by a voice telephone call.

47.   The method of claim 42 wherein the obtaining of delivery information includes collecting information from one or more information sources selected from among an Internet-based telephone database, an Internet-based electronic mail database, a local telephone database, a local electronic mail database, a database of previous recipients and gift givers, an Internet-based search engine, and a database of information relating to the domain name registration of an electronic mail address of the recipient.

48.   A computer-based gift delivery system for coordinating the delivery of a gift from a gift giver to a recipient, comprising:

> an order entry component for providing a selection of available gifts, for receiving a selection of a gift, for receiving contact information describing the recipient, and for storing the gift order; and

> a gift delivery component for retrieving the stored gift order, for determining whether the contact information includes sufficient delivery information to deliver the gift to the recipient, for when sufficient delivery information is not included, obtaining additional information about the recipient by attempting to contact the recipient and by searching various databases of information, and for directing the sending of the gift to the recipient when sufficient delivery information has been obtained.

49.   The gift delivery system of claim 48 wherein the order entry component assigns an order tracking identification to each gift order and wherein the gift delivery

component includes the order tracking identification when attempting to contact the recipient.

50. The gift delivery system of claim 48 wherein the gift delivery component searches various Internet-based databases using the recipient name or electronic mail address.

51. The gift delivery system of claim 48 wherein the order entry component receives payment electronically.

52. The gift delivery system of claim 48 wherein the order entry component is accessed via Web pages.

53. A method in a computer system for coordinating the delivery a gift given by a gift giver to a recipient, the method comprising:

> receiving an order from the gift giver, the order identifying a gift to be delivered to the recipient and having contact information relating to the recipient;

> storing the received order in an order database in association with an order tracking number;

> identifying an electronic mail address for the recipient using the contact information received from the gift giver;

> sending an electronic mail message to the recipient based on the contact information, the message requesting delivery information for the gift, the message including the order tracking number so that the recipient can include the order tracking number in a response to the message for identification of the stored order;

> when an electronic mail message that responds to the electronic mail message sent to the recipient is received from the recipient and the received message has sufficient delivery information.

retrieving the order tracking number and the delivery information from the received electronic mail message;

retrieving from the order database the order associated with the retrieved order tracking number;

directing delivery of the gift of the retrieved order in accordance with the retrieved delivery information; and

sending an electronic mail message to the gift giver indicating that the gift is being delivered to the recipient; and

when an electronic mail message that responds to the electronic mail message sent to the recipient is received from the recipient but the received message does not have sufficient delivery information or when no electronic mail message is received, sending an electronic mail message to the gift giver, the message indicating that the gift cannot be delivered to the recipient and including the order tracking number so that the gift giver can include the order tracking number for identification of the stored order in a response to the message that provides additional contact information.

54.   The method of claim 53 wherein the identifying of an electronic mail address includes accessing one or more web sites for locating the electronic mail address of the recipient.

55.   The method of claim 53 including:

upon receiving the additional contact information, sending an electronic mail message to the recipient based on the additional contact information, the message requesting delivery information for the gift, the message including the order tracking number so that the recipient can include the order tracking number in a response to the message for identification of the stored order.

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Box AF, Commissioner for Patents, Washington, DC 20231.

_10 /22/01_
Date

Jeanne Connelly (signature)
Jeanne Connelly

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Jeffrey P. Bezos et al.
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Art Unit	:	2164
Docket No.	:	249768002US1
Date	:	October 22, 2001

Box AF
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Washington, DC 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. § 1.191) AND PETITION FOR AN EXTENSION OF TIME

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences the decision of the Primary Examiner dated May 22, 2001 rejecting claims 1-55.

Applicants hereby petition for an extension of time under 37 C.F.R. § 1.136, extending the period of response two months, to expire on October 22, 2001. If an additional extension of time is required, please consider this a petition therefor.

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Notice of Appeal	$ 320.00
Extension of time fee	400.00
Total	$ 720.00

The Commissioner is hereby authorized to charge the fees of $720.00, and any additional extension fees or fees for claims, or to credit any overpayment, to Deposit Account No. 50-0665. This notice is being submitted in duplicate.

Respectfully submitted,
Perkins Coie LLP

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